

Rule 1. Definitions

Rule 1-1. Definitions. As used in these Rules relating to admission, the following terms shall be given the following meanings, except as otherwise expressly provided.

(a) ABA. The term ABA means the American Bar Association.

(b) Active Member. The term Active Member means an attorney who is eligible to engage in the practice of law in Utah, has applied for active status, and has paid the required fees.

(c) Admissions Committee. The term Admissions Committee means those Utah State Bar members or others appointed by the Utah State Board of Bar Commissioners or President of the Utah State Bar who are charged with recommending standards and procedures for admission to the Utah State Bar and with implementation of these Rules. The Admissions Committee is responsible for supervising the work of the Bar Examiner Committee, the Bar Exam Administration Committee, the Special Accommodations Committee, and the Character and Fitness Committee, hearing appeals as provided herein and performing other work relating to the admission of Applicants.

(d) Admission on Motion Applicant. The term Admission on Motion Applicant is any person who satisfies the requirements of Rule 5.

(e) Approved Law School. The term Approved Law School means a law school which is fully or provisionally approved by the ABA pursuant to its Standards and Rules of Procedure for Approval of Law Schools. To qualify as approved, the law school must have been fully or provisionally approved at the time of the Applicant's graduation, or at the time of the Applicant's enrollment, provided that the Applicant graduated within a typical and reasonable period of time.

(f) Applicant. The term Applicant means each person requesting admission to the Bar. For purposes of these Rules, an Applicant is classified as a Student Applicant, a Student Attorney Applicant, a Foreign Law School Applicant, an Attorney Applicant, or an Admission on Motion Applicant.

(g) Attorney Applicant. The term Attorney Applicant is any person who satisfies the requirements of Rule 4.

(h) Bar. The term Bar means the Utah State Bar, including its employees, committees and the Utah State Board of Bar Commissioners.

(i) Bar Examination. The term Bar Examination means either the Student Bar Examination or the Attorney Bar Examination as defined in Rule 10 or both, as the context requires.

(j) Bar Examiner Committee. The term Bar Examiner Committee means those Bar members or others appointed by the Board or President of the Bar who are charged with drafting and reviewing questions and model answers and grading the Bar Examination.

(k) Bar Exam Administration Committee. The term Bar Exam Administration Committee means those Bar members or others appointed by the Board or President of the Bar who are charged with assisting in the administration and evaluation of the Bar Examination.

(l) Board or Board of Commissioners. The term Board and Board of Commissioners are used interchangeably to mean the Utah State Bar Board of Bar Commissioners.

(m) Character and Fitness Committee. The term Character and Fitness Committee means those Bar members or others appointed by the Board or President of the Bar who are charged with assessing the character and fitness of Applicants.

(n) Complete Application. The term Complete Application means an application is complete only if it includes all fees and necessary application forms, along with any required supporting documentation, character references, a criminal background check, a photo, an official Certificate of Law School Graduation and if applicable, a special accommodation request with supporting medical documentation, a Certificate of Good Standing, and a Certificate of Practice.

(o) Confidential Information. The term Confidential Information is defined in Rule 19-1.

(p) Deputy General Counsel of Admissions or Deputy General Counsel. The term Deputy General Counsel of Admissions and Deputy General Counsel are used interchangeably to mean the Utah State Bar's attorney in charge of admissions or his or her designee.

(q) Disbarred Attorney. The term Disbarred Attorney means a person who has been licensed to practice law in a state or United States Territory or the District of Columbia and who is no longer licensed to practice law because of disbarment or resignation with discipline pending or their equivalents.

(r) Executive Director. The term Executive Director means the Executive Director of the Utah State Bar or his or her designee.

(s) Foreign Law School. The term Foreign Law School means any school located outside of the United States and its protectorates, that is accredited by that jurisdiction's legal accreditation body, if one exists, and whose graduates are otherwise permitted by that jurisdiction's highest court to practice law.

(t) General Counsel. The term General Counsel means the General Counsel of the Utah State Bar or his or her designee.

(u) Inactive Member. The term Inactive Member means an attorney who is not eligible to engage in the practice of law in Utah. He or she has applied to the Bar for inactive status and has paid the required fees.

(v) MBE. The term MBE means the Multistate Bar Examination prepared by the National Conference of Bar Examiners.

(w) MEE. The term MEE means the Multistate Essay Examination prepared by the National Conference of Bar Examiners.

(x) MPRE. The term MPRE means the Multistate Professional Responsibility Examination prepared by the National Conference of Bar Examiners.

(y) MPT. The term MPT means the Multistate Performance Test prepared by the National Conference of Bar Examiners.

(z) NCBE. The term NCBE means the National Conference of Bar Examiners, an organization which develops, maintains, and applies reasonable and uniform standards of bar examination education and testing.

(aa) OPC. The term OPC means the Office of Professional Conduct of the Utah State Bar.

(bb) Privileged Information. The term Privileged Information in these Rules includes: information subject to the attorney-client privilege, attorney work product, test materials and applications of examinees; written decisions of the Board, Admissions Committee, Character and Fitness Committee, and Special Accommodations Committee; and the identity of individuals participating in the drafting, reviewing, grading and scoring of the Bar Examination.

(cc) Rules. The term Rules means these Rules Governing Admission to the Utah State Bar.

(dd) Special Accommodations Committee. The term Special Accommodations Committee means those Bar members or others appointed by the Board or President of the Bar who are charged with the review of requests from Applicants seeking special accommodations under which to take the Bar Examination and who make determinations thereon.

(ee) Student Applicant. The term Student Applicant is any person who satisfies the requirements of Rule 3.

(ff) Student Attorney Applicant. The term Student Attorney Applicant is any Applicant licensed to practice law in a sister State or United States territory or the District of Columbia,

who does not qualify as an Attorney Applicant under Rule 4. A Student Attorney Applicant must satisfy the requirements of Rule 3.

(gg) Supreme Court. The term Supreme Court means the Utah Supreme Court.

(hh) Updated Application. The term Updated Application means that an Applicant must complete a Reapplication for Admission Form updating any information that has changed since the prior application was filed and submit a new criminal background check.

(ii) Written Component. The term Written Component means that portion of the Bar Examination that consists of essay questions and MPT questions.